

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Joseph F. Tillery,)
)
Plaintiff,)
)
v.) Civil Action No. 9:14-2530-SB
)
Jaguar/Land Rover, Hilton Head;)
Land Rover, North America; Nicholas)
R. Felix; Krista M. McGuire; Carmen)
T. Mullen; William C. Clark,)
)
Defendants.)

)

ORDER

This matter is before the Court upon the Plaintiff's pro se complaint, wherein the Plaintiff asserts claims regarding his purchase of a used Range Rover vehicle. Pursuant to the Local Rules for this District, the matter was referred to a United States Magistrate Judge for preliminary review.

On January 27, 2015, the Magistrate Judge issued a report and recommendation ("R&R"), recommending that the Court summarily dismiss Defendants Nicholas R. Felix, Krista M. McGuire, and William C. Clark based on the Plaintiff's failure to state a claim against them. The Magistrate Judge also recommended that the Court dismiss Defendant Carmen T. Mullen from this action, as she is entitled to judicial immunity. Attached the R&R was a notice advising the Plaintiff of his right to file written, specific objections to the R&R within fourteen days of receiving a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. Mathews v. Weber, 423 U.S. 261 (1976). The Court

is charged with making a de novo determination only of those portions of the R&R to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.'") (quoting Fed. R. Civ. P. 72 advisory committee's note).

Here, no objections were filed, and the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. Finding none, the Court **adopts the R&R** (Entry 36) and dismisses Defendants Felix, McGuire, Clark, and Mullen from this action without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.



Sol Blatt, Jr.
Senior United States District Judge

May 26, 2015
Charleston, South Carolina

